F9RF 04 (FK1) Address Breaches of Electronically Monitored Curfew Orders made Alongside Community Orders

Elements of competence

FK1.1 Identify the nature of the violation
FK1.2 Address violations of curfew orders

About this Unit

This Unit is about supervising curfew orders which are monitored electronically, and which have been made at the same time as community orders on individuals. It includes addressing the identified levels of violation appropriately.

Target Group

This Unit is applicable to those with responsibilities which include addressing breaches by individuals of electronically monitored curfew orders made at the same time as a community order. Such individuals therefore, include, for example supervising officers within Youth Offending Teams.

Evidence Requirements for the Unit

It is essential that you adhere to the Evidence Requirements for this Unit — please see details overleaf.

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Specific Evidence Requirements for this Unit
Simulation:
Simulation is not permitted for this Unit.
The following forms of evidence ARE mandatory:
Direct Observation: Your assessor or expert witness must observe you in real work activities which provide a significant amount of the Performance Criteria for most of the Elements in this Unit. For example your assessor may see you setting up or attending a meeting between yourself and other members of staff as well as other agencies to report any violation of electronically enforced curfew orders, or a meeting held to discuss what action is required for more serious breaches. **Reflective Account/professional discussion:** These will be an explanation or a description of your practice in particular situations based on current working practices. For example an account of any violation of curfew orders and the steps you took. You could also include an explanation of how legislation, court license and community orders affect your practice.
Competence of performance and knowledge could also be demonstrated using a variety of evidence from the following:
Questioning/professional discussion: May be used to provide evidence of knowledge, legislation, policies and procedures which cannot be fully evidenced through direct observation or reflective accounts. In addition the assessor/expert witness may also ask questions to clarify aspects of your practice. **Expert witness**: A designated expert witness may provide direct observation of practice, questioning, undertaking a professional discussion or providing feedback on a reflective account. Working within the Youth Justice field can pose a number of challenges for Direct Observation of practice by assessors not based in the workplace and it is vital that expert witnesses are identified at the planning stage as they will be require to work closely with your assessor in the evidence gathering process. **Witness testimony**: Can be a confirmation or authentication of the activities described in your evidence which your assessor has not seen. This could be provided by a work colleague or another key person. It is NOT appropriate to use witness testimony from any member of their family or circle of friends. **Products**: These can be anonymised copies of any court orders, electronic monitored curfew orders or copies of any programmes you have been involved with. Due to the nature of this Unit considerable care should be given to the inclusion of any anonymised records in your portfolio. They should remain where they are normally stored and checked for their authenticity by your assessor as well as occasionally by your Verifier. Where records are included great care should be taken to ensure they are anonymised to ensure confidentiality.

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General guidance
♦ Prior to commencing this Unit you should agree and complete an assessment plan with your assessor which details the assessment methods (including potential products) and the tasks you will be undertaking to demonstrate your competence. ♦ Evidence must be provided for ALL of the Performance Criteria, ALL of the knowledge and parts of the scope that are relevant to your job. ♦ Candidates and assessors should ensure that knowledge evidence should be **integrated** into the reflective accounts, direct observations and if appropriate in professional discussions. Care should be taken to **avoid** assessment of knowledge through set or banks of questions as they generally do not reflect real work practice. ♦ The evidence must reflect the policies and procedures of your workplace and be linked to the current legislation, values and principles of best practice within the Community Justice Sector and in particular those staff working with the Youth Justice Sector. ♦ ALL evidence must relate to your own work practice.

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Knowledge Specification for this Unit

Competent practice is a combination of the application of skills and knowledge informed by values and ethics. This specification details the knowledge and understanding required to carry out competent practice in the performance described in this Unit.

When using this specification **it is important to read the knowledge requirements in relation to expectations and requirements of your job role**.

You need to provide evidence for ALL knowledge points listed below. There are a variety of ways this can be achieved so it is essential that you read the 'knowledge evidence' section of the Assessment Guidance.

You need to show that you know, understand and can apply in practice:		**Enter Evidence Numbers**
1	The different types of curfews, and those with responsibility for addressing breaches in the various types.	
2	Those changes in individuals' circumstances requiring the notification of the relevant electronic monitoring contractors, and timescales and procedures for doing this.	
3	Levels of violation of curfew, how these are determined, and the actions appropriate in response to the levels of violation.	
4	Levels of discretion in deciding the response to breaches of curfew, and how these might be exercised.	
5	Circumstances requiring referral to your line manager, and how to do this.	
6	Your own level of authority and responsibility, and to whom to refer where the level is exceeded.	
7	The principles of effective equality, diversity and anti-discriminatory practice and how to apply these in addressing breaches of electronically monitored curfew orders.	

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FK1.1 Identify the nature of the violation

Performance Criteria	DO	RA	EW	Q	P	WT
1 Identify correctly whether the curfew enforcement is within your area of responsibility.						
2 Refer and pass any breach of information regarding curfew enforcements outside your responsibility promptly to the correct authority.						
3 Receive and process all relevant information from the electronic monitoring contractor regarding the violation.						
4 Identify the level of violation determined by the contractor.						
5 Establish correctly whether there is any other relevant outstanding curfew violation on file.						

FK1.2 Address violations of curfew orders

Performance Criteria	DO	RA	EW	Q	P	WT
1 Decide correctly the nature of the action to be taken, according to the level of violation and the circumstances of the violation.						
2 Progress the relevant action promptly and correctly, notifying all relevant parties in line with relevant guidance and procedures.						
3 Ensure that any decision not to breach, where the violation is more serious, is defensible, and is taken only in exceptional cases, being recorded and signed off by your manager.						
4 Complete, where relevant, court information correctly including relevant details and violation dates, and apply for a summons or warrant.						
5 Notify the contractor correctly regarding the date of the summons.						
6 Identify the outcomes of court hearings, and communicate these promptly and correctly in line with relevant guidance and procedures to the appropriate contractor.						
7 Maintain accurate and up-to-date records.						

DO = Direct Observation
RA = Reflective Account
Q = Questions
EW = Expert Witness
P = Product (Work)
WT = Witness Testimony

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To be completed by the candidate

I submit this as a complete Unit

Candidate's name: ……

Candidate's signature: ……..

Date: ……..

To be completed by the assessor

It is a shared responsibility of both the candidate and assessor to claim evidence, however, it is the responsibility of the assessor to ensure the accuracy/validity of each evidence claim and make the final decision.

I certify that sufficient evidence has been produced to meet all the Elements, PCs and Knowledge of this Unit.

Assessor's name: …….

Assessor's signature: ……....

Date: ……..

Assessor/internal verifier feedback

To be completed by the internal verifier if applicable.

This section only needs to be completed if the Unit is sampled by the internal verifier.

Internal verifier's name: ……

Internal verifier's signature: ……..

Date: ……..……..